

## **Overview of Proposed Zoning Text Amendments to CVMC 19.07 and 19.80 (May 2007)**

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### **Background-**

In the late 1980s, a citizen's initiative, referred to as the "Cumming's Initiative" was passed by a majority vote of the electorate and was incorporated as Chula Vista Municipal Code (CVMC) Section 19.80. The purpose and intent of the initiative was generally to ensure the quality of life for the residents of Chula Vista through a variety of measures. At that time, the City was confronted with a period a high growth and development activity, and residents were concerned that development would overtax public facilities and services. The extensive growth management system in place in the City today was only in its infancy at that time, and absent such controls, one of the features of CVMC 19.80 relied on limiting the frequency of residential rezones to the next highest category over a two-year period (R1 to R2, R2 to R3, etc.), and thus the pace of growth. This was intended to create a form of safety net to allow the provision of services and facilities time to catch up if necessary.

When the initiative was crafted, some areas of the City (those zoned Planned Community (PC)) already had an obligation to prepare comprehensive zoning and public facility & service plans to support proposed development, and as a result, CVMC 19.80 deemed areas zoned or proposed to be rezoned as PC in compliance with intents, and not subject to the zoning pacing noted above. CVMC 19.80 did not, however, recognize that Specific Plans are also comprehensive zoning and infrastructure & service plans equivalent to those used in PC areas.

Considering this, and the extensive growth management requirements and programs that have been instituted in the City in the approximately 20 years since CVMC 19.80 was created, Specific Plan areas should be similarly recognized as being compliant with the intents of Cummings. The proposed amendments are intended to accomplish this.

### **Summary of the Proposed Amendments & Prior Discussions and Direction -**

Proposed text amendments to CVMC 19.07- Specific Plans; add provisions to clarify and specify content requirements for Specific Plans, and require findings to be made by the Planning Commission and City Council in adoption of any Specific Plan. Content requirements cover both comprehensive zoning and design provisions, as well as necessary infrastructure and public services plans, phasing and funding. Discussion and direction from the April meetings asked that clearer provisions be added regarding the notion of "triggers" for providing facilities and services tied to particular amounts or increments of development. This would provide assurances that limits on development would exist in the event that a required facility or service was somehow delayed.

Proposed text amendments to CVMC 19.80 – Controlled Residential Development (aka the Cummings Initiative); add text to Section 19.80.070 stating that property in the city zoned or proposed to be zoned as part of a comprehensive Specific Plan would be deemed in compliance with the zoning provisions of that Section, provided that the Specific Plan incorporates all required provisions for Specific Plans as stated in CVMC 19.07 (noted above). This includes an adequate plan for timely provision of the infrastructure and public services needed to support the

land uses proposed in the Specific Plan. This gives Specific Plan areas similar treatment as that for Planned Community (PC) areas already provided in Section 19.80.070. Discussion and direction from the April meetings asked that the new specific plan provisions still incorporate the requirements for phased zoning for lower density residential areas that would be changed to higher density thorough the Specific Plan. This would allow the community more time to adjust to the coming change.

Together, the proposed amendments are intended to allow the adoption of Specific Plans necessary to implement the City's adopted General Plan, provided that the intents of the Controlled Residential Development Ordinance, and the City's growth management and quality-of-life provisions and standards, are ensured through a sufficient infrastructure and public services plan, and appropriate development phasing.